



February 14, 2003

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## HOUSE BILL No. 1492

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DIGEST OF HB 1492 (Updated February 11, 2003 12:16 PM - DI 69)

**Citations Affected:** IC 13-26.

**Synopsis:** Regional waste districts. Allows a regional water, sewage, or solid waste district to increase its board of trustees to 11 or 13 members. Allows department of correction representation on the board of trustees of a district in which a state correctional facility is located.

**Effective:** July 1, 2003.

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### Reske, Weinzapfel, Ayres, Heim

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January 15, 2003, read first time and referred to Committee on Environmental Affairs.  
February 13, 2003, amended, reported — Do Pass.

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HB 1492—LS 6543/DI 108+



February 14, 2003

First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

## HOUSE BILL No. 1492

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 13-26-1-2 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. (a) At any time after  
3 the creation of a district, the district, after motion by the district's board,  
4 may file a petition with the department requesting the approval of the  
5 department permitting the district to:  
6 (1) increase or add to the district's purposes or modify the district  
7 plan approved by the department; ~~or~~  
8 (2) abandon or surrender all or part of a purpose or plan approved  
9 by the department; **or**  
10 **(3) subject to IC 13-26-4-1, increase the number of persons**  
11 **serving on the board of trustees.**  
12 (b) The department may:  
13 (1) approve;  
14 (2) modify and approve; or  
15 (3) reject;  
16 a request received under this section.  
17 SECTION 2. IC 13-26-4-1 IS AMENDED TO READ AS

HB 1492—LS 6543/DI 108+



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FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. The board of trustees of a district is the governing body of the district. A board may consist of:

- (1) three (3);
- (2) five (5);
- (3) seven (7); ~~or~~
- (4) nine (9);
- (5) eleven (11); or**
- (6) thirteen (13);**

trustees.

SECTION 3. IC 13-26-4-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 4. **(a)** If:

- (1) a district will include territory in more than one (1) county;
- (2) a county executive has filed a petition for a district including territory owned, leased, or controlled by the department of natural resources; or
- (3) the department of natural resources has filed a petition;

the order establishing the district may provide that the governor appoints any number of trustees, but less than one-half (1/2) of the total.

**(b) If a district contains or a proposed district will contain a state correctional facility, the department, when:**

- (1) issuing an order establishing the district under IC 13-26-2-10; or**
- (2) approving or modifying a petition filed by the district's board of trustees under IC 13-26-1-2;**

**may allow for the appointment of one (1) member of the board of trustees of the district by the commissioner of the department of correction.**

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred House Bill 1492, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 7, delete "or".

Page 2, between lines 7 and 8, begin a new line block indented and insert:

**"(5) eleven (11); or".**

Page 2, line 8, delete "(5)" and insert **"(6)"**.

and when so amended that said bill do pass.

(Reference is to HB 1492 as introduced.)

BOTTORFF, Chair

Committee Vote: yeas 12, nays 0.

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